Attorney Docket: 2004.001 US

USSN: 10/587,067

Amendment in Response to OA of 10/13/2010

## **Amendments to the Claims:**

## Claims 1 – 9 (Canceled)

- 10. **(Previously amended)**: A DNA fragment comprising a nucleic acid according to claim 33.
- 11. **(Previously amended)**: A recombinant DNA molecule comprising a nucleic acid according to claim 33 under the control of a functionally linked promoter.
- 12. **(Previously amended)**: A live recombinant carrier comprising a nucleic acid according to claim 33.
- 13. **(Currently amended)**: A host cell comprising a <u>recombinant DNA molecule</u> according to claim 11 <u>nucleic acid according to claim 33</u>.

## Claims 14 - 24 (Canceled)

- 25. **(Currently amended)**: A vaccine for combating *Lawsonia intracellularis* infections, comprising at least one nucleic acid according to **claim 33**, **claim 41** and a pharmaceutically acceptable carrier.
- 26. **(Previously amended)**: The vaccine according to claim 25, comprising an adjuvant.
- 27. (Currently amended): The vaccine according to claim 25, comprising [[an]] <u>at least one</u> additional antigen [[derived]] <u>isolated</u> from a virus or micro-organism pathogenic to pigs or genetic information encoding said antigen.
- 28. **(Previously amended)**: The vaccine according to claim 27, wherein said virus or micro-organism pathogenic to pigs is selected from the group consisting of Pseudorabies virus, Porcine influenza virus, Porcine parvo virus, Transmissible gastro-

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enteritis virus, Rotavirus, Escherichia coli, Erysipelothrix rhusiopathiae, Bordetella bronchiseptica, Salmonella cholerasuis, Haemophilus parasuis, Pasteurella multocida, Streptococcus suis, Mycoplasma hyopneumoniae, Brachyspira hyodysenteriae and Actinobacillus pleuropneumoniae.

29. **(Currently amended)**: A vaccine for combating *Lawsonia intracellularis* infections, comprising antibodies against a protein according to claim 34 Claim 40.

## Claim 30 (Canceled)

- 31. **(Previously amended)**: Diagnostic test for the detection of antibodies against *Lawsonia intracellularis*, wherein said test comprises a protein or a fragment thereof as defined in claim 34.
- 32. **(Previously amended)**: Diagnostic test for the detection of antigenic material of *Lawsonia intracellularis*, wherein said test comprises antibodies against a protein or a fragment thereof as defined in claim 34.
- 33. (Currently amended): An isolated nucleic acid encoding an immunogenic [[Lawonia]] Lawsonia intracellularis protein that hybridizes under stringent conditions, wherein the isolated nucleic acid has a mismatch of 10% or less, with a sequence selected from the group consisting of SEQ ID NO: 1, SEQ ID NO: 3, SEQ ID NO: 5, SEQ ID NO: 7, SEQ ID NO: 9, SEQ ID NO: 11, SEQ ID NO: 13, SEQ ID NO: 15, and SEQ ID NO: 17.
- 34. **(Currently amended)**: An isolated *Lawsonia intracellularis* protein, or an immunogenic fragment thereof, **having the same immunological characteristics as an amino acid sequence** selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 4, SEQ ID NO: 6, SEQ ID NO: 8, SEQ ID NO: 10, SEQ ID NO: 12, SEQ ID NO: 14, SEQ ID NO: 16, and SEQ ID NO: 18.

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- 35. **(Previously presented)**: A vaccine for combating *Lawsonia intracellularis* infection, comprising at least one protein according to claim 34, and a pharmaceutically acceptable carrier.
- 36. **(Previously presented)**: The isolated nucleic acid of claim 33, selected from the group consisting of SEQ ID NO: 1, SEQ ID NO: 3, SEQ ID NO: 5, SEQ ID NO: 7, SEQ ID NO: 9, SEQ ID NO: 11, SEQ ID NO: 13, SEQ ID NO: 15, and SEQ ID NO: 17.
- 37. (Cancelled)
- 38. **(Currently amended)**: A vaccine for combating *Lawonia intracellularis* infection, comprising **at least one <u>the</u>** protein according to **claim 37**, **claim 40** and a pharmaceutically acceptable carrier.
- 39. (Currently amended): The vaccine according to claim 38, <u>further</u> comprising <u>atleast one protein selected from the group consisting of SEQ ID NO.: 2, the isolated proteins of SEQ ID NO.: 4, SEQ ID NO.: 12 and SEQ ID NO.: 16.</u>
- 40. (New): The isolated protein of claim 34, consisting of SEQ ID NO.: 2.
- 41. (New): The isolated nucleic acid of claim 36, consisting of SEQ ID NO.: 1.